

the stay should remain in place. *See* Dkt. Nos. 43, 45.

5. In accordance with the Court's Order directing the Parties to provide a written status report every 60 days, the Parties hereby report that the en banc petition in *Wilson* has not yet been decided; and, thus, the Parties continue to believe the stay should remain in place.

Dated: August 7, 2023

s/ Marni S. Berger

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that the foregoing was served on all parties by CM/ECF on August 7, 2023.

/s/ Richard D. Gable, Jr.